IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL NO. 3:09-MC-97-FDW-DCK

SOUND SECURITY, INC.,)
Plaintiff,))
v.	ORDER ORDER
SONITROL CORPORATION;	<i>)</i>)
SONITROL HOLDING CORPORATION;)
SONITROL HOLDING L.L.C.;	,)
THE STANLEY WORKS;)
STANLEY SECURITY SOLUTIONS, INC.	
SECURITY CO. SOLUTIONS, INC.;)
STANLEY CONVERGENT SECURITY)
SOLUTIONS, INC.; and SONITROL)
FRANCHISE COMPANY, L.L.C.	
)
Defendants.)

THIS MATTER IS BEFORE THE COURT on the "Motion to File Documents Under Seal" filed by the Plaintiff Sound Security, Inc. on June 12, 2009. (Document No. 8). Plaintiff indicates the Non-Parties and Defendants have represented that they have no objection to the submission of these documents under seal. This matter has been referred to the Magistrate Judge pursuant to 28 U.S.C.A. § 636(b), and immediate review is appropriate. Having fully considered the record, the undersigned will **GRANT** the motion for the following reasons:

Plaintiff moves pursuant to Local Rules 6.1(b) and 7.1 for an order sealing certain materials being submitted to the Court in support of its response to the motion to quash Plaintiff's subpoena. Specifically, Plaintiff asks the Court for permission to file under seal "confidential deposition testimony and documents" containing "sensitive business information" that is already subject to a stipulated protective order. Plaintiff provides a copy of the existing protective order. (See Document

No. 8-3, Exh. A "Stipulated Protective Order" and Exh. B "List of Exhibits to be Sealed").

Local Rule 6.1(a) governs "any request by a party to seal, or otherwise restrict public access to, any materials filed with the Court or utilized in connection with judicial decision-making." Local Rule 6.1(b) provides that "[n]o materials may be filed under seal except by Order of the Court, pursuant to a statute, or in accordance with a previously entered Rule 26(e) Protective Order." Local

Rule 6.1(c) further provides that:

A request by a party to file materials under seal shall be made by formal motion pursuant to LcvR 7.1. Such motion shall be filed electronically under the designation "Motion to Seal." The motion or supporting brief shall set forth:

- (1) a non-confidential description of the material sought to be sealed;
- (2) a statement as to why sealing is necessary and why there are no alternatives to filing under seal;
- (3) unless permanent sealing is sought, a statement as to the period of time the party seeks to have the material maintained under seal and as to how the matter is to be handled upon unsealing; and
- (4) supporting statutes, case law or other authority.

Plaintiff has complied with the above requirements. Plaintiff indicates that "[k]eeping the materials sealed is necessary for as long as this Court needs to rely on them in making its ruling on this motion" and that "[w]hen this Court no longer needs them, Plaintiff will accept and receive the materials in their entirety." (Document No. 8, p. 2).

IT IS THEREFORE ORDERED that the "Motion to File Documents Under Seal" filed by the Plaintiff Sound Security, Inc. on June 12, 2009. (Document No. 8) is **GRANTED**.

IT IS SO ORDERED.

Signed: June 18, 2009

David C. Keesler

United States Magistrate Judge